

103^D CONGRESS
1ST SESSION

H. R. 3276

To make technical corrections to title 23, United States Code, the Federal Transit Act, and the Intermodal Surface Transportation Efficiency Act of 1991, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 1993

Mr. RAHALL (for himself, Mr. MINETA, Mr. SHUSTER, and Mr. PETRI) introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To make technical corrections to title 23, United States Code, the Federal Transit Act, and the Intermodal Surface Transportation Efficiency Act of 1991, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Intermodal Surface Transportation Technical Correc-
6 tions Act”.

7 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Secretary defined.

TITLE I—TITLE 23 PROGRAMS

- Sec. 101. Definitions.
- Sec. 102. References to Dwight D. Eisenhower System of Interstate and Defense Highways.
- Sec. 103. Federal-aid systems.
- Sec. 104. Apportionment.
- Sec. 105. Programs of projects.
- Sec. 106. Advance acquisition of rights-of-way.
- Sec. 107. Standards.
- Sec. 108. Letting of contracts.
- Sec. 109. Prevailing rate of wage.
- Sec. 110. Construction.
- Sec. 111. Advance construction.
- Sec. 112. Certification acceptance.
- Sec. 113. Availability of funds.
- Sec. 114. Federal share.
- Sec. 115. Payment to States for construction.
- Sec. 116. Relocation of utility facilities.
- Sec. 117. Advances to States.
- Sec. 118. Emergency relief.
- Sec. 119. Applicability of axle weight limitations.
- Sec. 120. Toll roads.
- Sec. 121. Rail-highway crossings.
- Sec. 122. Surface transportation program.
- Sec. 123. Metropolitan planning.
- Sec. 124. Statewide planning.
- Sec. 125. Control of junkyards.
- Sec. 126. Nondiscrimination.
- Sec. 127. Enforcement of requirements.
- Sec. 128. Availability of rights-of-way.
- Sec. 129. Highway bridge program.
- Sec. 130. Hazard elimination program.
- Sec. 131. Use of safety belts and motorcycle helmets.
- Sec. 132. National maximum speed limit.
- Sec. 133. Minimum allocation.
- Sec. 134. National minimum drinking age.
- Sec. 135. Revocation of drivers' licenses of individuals convicted of drug offenses.
- Sec. 136. Reimbursement for segments of interstate system constructed without Federal assistance.
- Sec. 137. Federal lands highway program.
- Sec. 138. Bicycle transportation and pedestrian walkway.
- Sec. 139. Management systems.
- Sec. 140. State planning and research.
- Sec. 141. International highway transportation outreach program.
- Sec. 142. Highway safety programs.
- Sec. 143. Alcohol-impaired driving counter measures.
- Sec. 144. Public transit facilities.
- Sec. 145. Use of recycled paving material.
- Sec. 146. Work zone safety.
- Sec. 147. High cost bridge project.
- Sec. 148. Congestion relief project.
- Sec. 149. High priority corridors on National Highway System.
- Sec. 150. High priority corridor project.

- Sec. 151. Rural access projects.
- Sec. 152. Urban access and mobility projects.
- Sec. 153. Innovative projects.
- Sec. 154. Intermodal project.
- Sec. 155. Miscellaneous Intermodal Surface Transportation Efficiency Act Amendments.
- Sec. 156. Disadvantaged business enterprise program.
- Sec. 157. Amendments to Surface Transportation and Uniform Relocation Assistance Act of 1987.
- Sec. 158. Freeway service patrols.
- Sec. 159. Pan American Highway.

TITLE II—FEDERAL TRANSIT PROGRAMS

- Sec. 201. Section 3 program amendments.
- Sec. 202. Metropolitan planning.
- Sec. 203. Formula grant program.
- Sec. 204. Mass transit account block grants.
- Sec. 205. Grants for research and training.
- Sec. 206. General provisions.
- Sec. 207. Period of availability and reapportionment of section 16 funds.
- Sec. 208. Rural transit program.
- Sec. 209. Authorizations.
- Sec. 210. Project management oversight.
- Sec. 211. Planning and research program.
- Sec. 212. Needs survey and transferability study.
- Sec. 213. State responsibility for rail fixed guideway system.
- Sec. 214. National Transit Institute.
- Sec. 215. Increased Federal share.
- Sec. 216. Performance reports on mass transit systems.
- Sec. 217. Miscellaneous multiyear contracts.
- Sec. 218. Cross reference to Federal Transit Act.

TITLE III—MISCELLANEOUS SURFACE TRANSPORTATION PROGRAMS

- Sec. 301. Participation in international registration plan and international fuel tax agreement.
- Sec. 302. Intelligent vehicle-highway systems.
- Sec. 303. Title 49, United States Code, amendments.
- Sec. 304. Surface Transportation Assistance Act of 1982 amendments.
- Sec. 305. Commercial Motor Vehicle Safety Act of 1986 amendments.
- Sec. 306. Cleveland Harbor, Ohio.
- Sec. 307. Surface Transportation and Uniform Relocation Assistance Act of 1987 amendments.
- Sec. 308. Intermodal Surface Transportation Efficiency Act technical amendments.
- Sec. 309. Improved bus safety.

1 **SEC. 2. SECRETARY DEFINED.**

- 2 As used in this Act, the term “Secretary” means the
- 3 Secretary of Transportation.

1 **TITLE I—TITLE 23 PROGRAMS**

2 **SEC. 101. DEFINITIONS.**

3 Section 101(a) of title 23, United States Code, is
4 amended by striking the 1st undesignated paragraph of
5 such section that relates to public lands highways.

6 **SEC. 102. REFERENCES TO DWIGHT D. EISENHOWER SYS-**
7 **TEM OF INTERSTATE AND DEFENSE HIGH-**
8 **WAYS.**

9 (a) DECLARATION OF POLICY.—Section 2 of the
10 Intermodal Surface Transportation Efficiency Act of 1991
11 (105 Stat. 1914–1915) is amended—

12 (1) in the 3d undesignated paragraph by strik-
13 ing “National System of” and inserting “Dwight D.
14 Eisenhower System of”; and

15 (2) in the 7th undesignated paragraph by strik-
16 ing “Interstate and Defense Highway System” and
17 inserting “Dwight D. Eisenhower System of Inter-
18 state and Defense Highways”.

19 (b) COMPLETION OF INTERSTATE SYSTEM.—Section
20 1001 of the Intermodal Surface Transportation Efficiency
21 Act of 1991 (23 U.S.C. 104 note; 105 Stat. 1915–1916)
22 is amended in each of subsections (a) and (b) by striking
23 “National”.

24 (c) DEFINITION OF INTERSTATE SYSTEM IN TITLE
25 23.—The undesignated paragraph of section 101(a) of

1 title 23, United States Code, relating to the Interstate
2 System, is amended by striking “National”.

3 (d) CONFORMING AMENDMENT TO VEHICLE WEIGHT
4 LIMITATIONS.—Section 127(a) of title 23, United States
5 Code, is amended by striking “National” each place it ap-
6 pears and inserting “Dwight D. Eisenhower”.

7 (e) VEHICLE LENGTH RESTRICTION.—Section 411(j)
8 of the Surface Transportation Assistance Act of 1982 (49
9 U.S.C. App. 2311(j)) is amended in each of paragraphs
10 (1), (5)(D), and (6)(A) by striking “National” and insert-
11 ing “Dwight D. Eisenhower”.

12 (f) LONGER COMBINATION VEHICLE DEFINED.—
13 Section 4007 of the Intermodal Surface Transportation
14 Efficiency Act of 1991 (105 Stat. 2153) is amended by
15 striking “National” and inserting “Dwight D. Eisen-
16 hower”.

17 (g) COMMEMORATION.—Section 6012 of the Inter-
18 modal Surface Transportation Efficiency Act of 1991 (23
19 U.S.C. 101 note; 105 Stat. 2180–2181) is amended—

20 (1) in the section heading by striking “**NA-**
21 **TIONAL**”; and

22 (2) in subsection (a) by striking “National”.

23 **SEC. 103. FEDERAL-AID SYSTEMS.**

24 (a) NATIONAL HIGHWAY SYSTEM.—Section
25 103(b)(4) of title 23, United States Code, is amended by

1 inserting “and all corridors identified in section 1105(c)
2 of the Intermodal Surface Transportation Efficiency Act
3 of 1991” after “by the States”.

4 (b) INTERSTATE SYSTEM.—Section 103(e)(1) of such
5 title is amended by striking the next to the last sentence.

6 (c) SUBSTITUTE PROJECTS.—Section 103(e)(4) of
7 such title is amended—

8 (1) in the last sentence of subparagraph (B) by
9 striking “projects on the Federal-aid secondary sys-
10 tem” and inserting “surface transportation program
11 projects”;

12 (2) in subparagraph (G) by inserting “and” be-
13 fore “\$240,000,000”; and

14 (3) in subparagraph (J)(i) by inserting a
15 comma after “October 1, 1991”.

16 **SEC. 104. APPORTIONMENT.**

17 (a) SET-ASIDE.—Section 104(a) of title 23, United
18 States Code, is amended—

19 (1) by striking “for the Federal-aid systems”
20 and inserting “for this chapter”; and

21 (2) by striking “upon the Federal-aid systems”
22 and inserting “under this chapter”.

23 (b) CROSS REFERENCE TO INTERSTATE CONSTRUC-
24 TION PERIOD OF AVAILABILITY.—Section 104(b)(5)(A) of

1 such title is amended by striking “118(b)(2)” and insert-
2 ing “118(b)(1)”.

3 (c) TECHNICAL AMENDMENT.—Section 104(b)(5)(B)
4 of such title is amended by striking the comma following
5 “1984”.

6 (d) REPEAL OF URBAN SYSTEM APPORTIONMENT.—
7 Section 104(b)(6) of such title is repealed.

8 (e) PLANNING SET ASIDE.—Section 104(f)(3) of
9 such title is amended by striking “(j)”.

10 (f) TRANSFERABILITY AMONG SAFETY AND BRIDGE
11 PROGRAMS.—Section 104(g) of such title is amended by
12 striking “Not more than” and all that follows through
13 “any other of such sections” the second place it appears
14 and inserting the following: “Not more than 40 percent
15 of the amount which is apportioned in any fiscal year to
16 each State under section 144 or which is reserved for such
17 fiscal year under section 133(d)(1) only for carrying out
18 section 130 or 152 may be transferred from the appor-
19 tionment under section 144 or one of the reservations under
20 section 133(d)(1) to the apportionment or reservation
21 under such other section if such a transfer is requested
22 by the State highway department and is approved by the
23 Secretary as being in the public interest. The Secretary
24 may approve the transfer of 100 percent of the appor-
25 tionment under section 144 or one of the reservations under

1 section 133(d)(1) to the apportionment or reservation
2 under such other section”.

3 **SEC. 105. PROGRAMS OF PROJECTS.**

4 (a) REPEAL OF REQUIREMENT.—Section 105 of title
5 23, United States Code, and the item relating to such sec-
6 tion in the analysis for chapter 1 of such title are each
7 repealed.

8 (b) CONFORMING AMENDMENTS.—Section 106(a) of
9 such title is amended—

10 (1) by striking “, as soon as practicable after
11 program approval,”; and

12 (2) by striking “included in an approved pro-
13 gram”.

14 (c) PRIORITY FOR HIGH PRIORITY SEGMENTS OF
15 CORRIDORS OF NATIONAL SIGNIFICANCE.—Section
16 1105(g)(7) of the Intermodal Surface Transportation Ef-
17 ficiency Act of 1991 (105 Stat. 2036) is amended to read
18 as follows:

19 “(7) PRIORITY FOR HIGH PRIORITY SEGMENTS
20 OF CORRIDORS OF NATIONAL SIGNIFICANCE.—In se-
21 lecting projects for inclusion in a plan or program
22 under chapter 1 of title 23, United States Code, a
23 State may give priority to high priority segments of
24 corridors identified under subsection (c) of this sec-
25 tion.”.

1 **SEC. 106. ADVANCE ACQUISITION OF RIGHTS-OF-WAY.**

2 (a) INTERSTATE SYSTEM.—Section 107(a)(2) of title
3 23, United States Code, is amended by striking “sub-
4 section (c)” and inserting “subsection (a)”.

5 (b) APPORTIONED FUNDS.—Section 108(a) of such
6 title is amended—

7 (1) by striking “on any Federal-aid highway”
8 and inserting “for any project eligible for assistance
9 under this chapter”;

10 (2) by striking “on such highway” and insert-
11 ing “on such project”; and

12 (3) by striking “a road” and inserting “the
13 project”.

14 (c) RIGHT-OF-WAY REVOLVING FUND FUNDS.—Sec-
15 tion 108(c) of such title is amended—

16 (1) in paragraph (2) by striking “highways and
17 passenger transit facilities on any Federal-aid sys-
18 tem” and inserting “any project eligible for assist-
19 ance under this chapter”; and

20 (2) in paragraph (3) by striking “such project
21 for the actual construction” and all that follows
22 through “Secretary” the last place it appears and
23 inserting “actual construction of such project on
24 rights-of-way with respect to which funds are ad-
25 vanced under this subsection, whichever shall occur
26 first, the right-of-way revolving fund shall be cred-

1 ited with an amount equal to the Federal share of
2 the funds advanced, as provided in section 120 of
3 this title, out of any funds apportioned under this
4 chapter to the State in which such project is located
5 and available for obligation for such projects and the
6 State shall reimburse the Secretary”.

7 (d) EARLY ACQUISITION.—Section 108(d)(2)(F) of
8 such title is amended by striking “this Act” and inserting
9 “this title”.

10 **SEC. 107. STANDARDS.**

11 Section 109(q) of title 23, United States Code, is
12 amended by striking “under sections” and inserting
13 “under section”.

14 **SEC. 108. LETTING OF CONTRACTS.**

15 Section 112(f) of title 23, United States Code, relat-
16 ing to applicability to contracts for projects on the second-
17 ary system, is repealed.

18 **SEC. 109. PREVAILING RATE OF WAGE.**

19 Section 113 of title 23, United States Code, is
20 amended—

21 (1) in subsection (a) by striking “highway
22 projects on” and all that follows through “author-
23 ized under” and inserting “highway projects on Fed-
24 eral-aid highways authorized under”;

1 (2) in subsection (a) by striking “upon the Fed-
2 eral-aid systems,” and inserting “on Federal-aid
3 highways,”; and

4 (3) in subsection (b) by striking “of the Fed-
5 eral-aid systems” and inserting “Federal-aid high-
6 way”.

7 **SEC. 110. CONSTRUCTION.**

8 Section 114 of title 23, United States Code, is
9 amended—

10 (1) in subsection (a) by striking “highways or
11 portions of highways located on a Federal-aid sys-
12 tem” and inserting “Federal-aid highway or portion
13 thereof”; and

14 (2) in subsection (b)(1) by striking “highways
15 or portions of highways located on a Federal-aid sys-
16 tem” and inserting “a Federal-aid highway or por-
17 tion thereof”.

18 **SEC. 111. ADVANCE CONSTRUCTION.**

19 (a) TECHNICAL AMENDMENTS.—Section 115 of title
20 23, United States Code, is amended—

21 (1) in subsection (a)(2) by striking “PLANS,
22 SPECIFICATIONS,” and inserting “PROJECT AP-
23 PROVAL”; and

24 (2) in subsection (c) by striking “134,” and the
25 second comma after “144”.

1 (b) ADVANCED PLANNING.—Notwithstanding any
2 other provision of law, upon application of a State, the
3 Secretary shall pay to the State the Federal share of the
4 cost of transportation planning carried out (including
5 transportation planning carried out by metropolitan plan-
6 ning organizations), after September 30, 1991, and before
7 December 18, 1991, in accordance with all procedures and
8 all requirements applicable to such planning under title
9 23, United States Code. Such payment shall be made to
10 the State from funds apportioned to the State under such
11 title and available for carrying out transportation plan-
12 ning.

13 **SEC. 112. CERTIFICATION ACCEPTANCE.**

14 Section 117 of title 23, United States Code, is
15 amended by striking subsection (f), relating to discharge
16 of the Secretary's responsibilities with respect to the sec-
17 ondary system.

18 **SEC. 113. AVAILABILITY OF FUNDS.**

19 (a) PERIOD OF AVAILABILITY.—Section 118(b)(1) of
20 title 23, United States Code, is amended—

21 (1) in the first sentence by striking “Interstate
22 construction in a State” and inserting “completion
23 of the Interstate System in a State”; and

1 (2) in the second sentence by inserting “for
2 completion of the Interstate System” after “shall be
3 allocated”.

4 (b) SET ASIDE FOR INTERSTATE CONSTRUCTION
5 PROJECTS.—Section 118(c)(1) of such title is amended by
6 striking the period at the end of the first sentence and
7 all that follows through the period at the end of the second
8 sentence and inserting “for obligation at the discretion of
9 the Secretary for projects to complete the Interstate Sys-
10 tem.”.

11 (c) SET-ASIDE FOR 4R PROJECTS.—Section
12 118(c)(2) of such title is amended by inserting “of” after
13 “\$64,000,000 for each”.

14 **SEC. 114. FEDERAL SHARE.**

15 (a) INTERSTATE SYSTEM PROJECTS.—Section
16 120(a) of title 23, United States Code, is amended by in-
17 serting before “including a project” the following: “includ-
18 ing a project the cost for which is included in the 1991
19 interstate cost estimate and”.

20 (b) SAFETY PROJECTS.—Section 120(c) of such title
21 is amended by striking “for all the Federal-aid systems”.

22 (c) EMERGENCY RELIEF.—The first sentence of sec-
23 tion 120(e) of such title is amended—

24 (1) by striking “system, including” and insert-
25 ing “, including a highway on”;

1 (2) by striking “on a project on such system”;

2 (3) by striking “and (c)” and inserting “and

3 (b)”; and

4 (4) by striking “90 days” and inserting “180
5 days”.

6 (d) PLANNING PROJECTS.—Section 120 of such title
7 is amended by adding at the end the following new sub-
8 section:

9 “(j) PLANNING PROJECTS.—The Federal share pay-
10 able on account of any project to be carried out with funds
11 set aside under section 104(f) of this title shall be 80 per-
12 cent of the costs thereof unless the Secretary determines
13 that the interest of the Federal-aid highway program
14 would best be served by decreasing or eliminating the non-
15 Federal share of such costs.”.

16 (e) CONFORMING AMENDMENT.—Section 208(2) of
17 the Demonstration Cities and Metropolitan Development
18 Act of 1966 (42 U.S.C. 3338(2)) is amended by striking
19 “section 120(a) of title 23”.

20 **SEC. 115. PAYMENT TO STATES FOR CONSTRUCTION.**

21 Section 121 of title 23, United States Code, is
22 amended—

23 (1) in subsection (b) by striking “After” and
24 inserting “Except as otherwise provided in this title,
25 after”; and

1 (2) by striking subsection (c) and redesignating
2 subsections (d) and (e) as subsections (c) and (d),
3 respectively.

4 **SEC. 116. RELOCATION OF UTILITY FACILITIES.**

5 Section 123(a) of title 23, United States Code, is
6 amended—

7 (1) by striking “on any Federal-aid system”
8 and inserting “eligible for assistance under this
9 chapter”; and

10 (2) by striking “Federal-aid highway projects
11 for which Federal funds are obligated subsequent to
12 April 16, 1958,” and inserting “such project”.

13 **SEC. 117. ADVANCES TO STATES.**

14 Section 124(a) of title 23, United States Code, is
15 amended by striking “projects on any of the Federal-aid
16 systems, including the Interstate System, he” and insert-
17 ing “a project eligible for assistance under this title, the
18 Secretary”.

19 **SEC. 118. EMERGENCY RELIEF.**

20 (a) TECHNICAL AMENDMENT.—The first sentence of
21 section 125(b) of title 23, United States Code, is amended
22 by striking all preceding “*Provided*” and inserting the fol-
23 lowing: “The Secretary may expend funds from the emer-
24 gency fund herein authorized for projects for repair or re-

1 construction on Federal-aid highways in accordance with
2 the provisions of this chapter:”.

3 (b) CONFORMING AMENDMENTS.—Section 125(b) of
4 such title is further amended—

5 (1) by striking “authorized” in the second sen-
6 tence and all that follows through the period at the
7 end of such sentence and inserting “authorized on
8 Federal-aid highways.”; and

9 (2) by striking “the Disaster Relief and Emer-
10 gency Assistance Act (Public Law 93–288)” and in-
11 serting “The Robert T. Stafford Disaster Relief and
12 Emergency Assistance Act”.

13 **SEC. 119. APPLICABILITY OF AXLE WEIGHT LIMITATIONS.**

14 (a) WISCONSIN STATE ROUTE 78 AND UNITED
15 STATES ROUTE 51.—Section 127 of title 23, United
16 States Code, is amended by adding at the end the follow-
17 ing new subsection:

18 “(f) OPERATION OF CERTAIN SPECIALIZED HAULING
19 VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—If the
20 104-mile portion of Wisconsin State Route 78 and United
21 States Route 51 between Interstate Route 94 near Por-
22 tage, Wisconsin, and Wisconsin State Route 29 south of
23 Wausau, Wisconsin, is designated as part of the Interstate
24 System under section 139(a) of title 23, United States
25 Code, the single axle, tandem axle, gross vehicle weight,

1 and bridge formula limits set forth in subsection (a) shall
2 not apply to the operation on such 104-mile portion of
3 any vehicle which could legally operate on such 104-mile
4 portion before the date of the enactment of this sub-
5 section.”.

6 (b) VEHICLE WEIGHT LIMITATIONS IN THE STATE
7 OF OHIO.—

8 (1) REVIEW.—The Secretary of Transportation
9 shall review the Federal and State commercial motor
10 vehicle weight limitations applicable to Federal-aid
11 highways in the State of Ohio.

12 (2) WAIVER AUTHORITY.—If the Secretary of
13 Transportation determines, on the basis of the re-
14 view conducted under paragraph (1), that it is in the
15 public interest, the Secretary may waive application
16 of the vehicle weight limitations of section 127(a) of
17 title 23, United States Code, in whole or in part, to
18 highways on the Dwight D. Eisenhower System of
19 Interstate and Defense Highways in the State of
20 Ohio for short wheel-base vehicles for such period as
21 the Secretary determines may be necessary to permit
22 a reasonable period of depreciation for short wheel-
23 base vehicles purchased before October 1, 1991.

24 (3) MORATORIUM ON WITHHOLDING OF
25 FUNDS.—Until the Secretary of Transportation

1 makes a determination relating to the public interest
2 under paragraph (2), the Secretary shall not with-
3 hold funds under section 127(a) of title 23, United
4 States Code, from apportionment to the State of
5 Ohio for failure to comply with such section with re-
6 spect to short wheel-base vehicles.

7 (c) TECHNICAL AMENDMENTS.—Section 127 of title
8 23, United States Code, is amended—

9 (1) in subsection (a) by striking “118(b)(1)”
10 and inserting “118(b)(2)”; and

11 (2) in subsection (d)(1)(E) by striking “July 5,
12 1991” and inserting “July 6, 1991”.

13 **SEC. 120. TOLL ROADS.**

14 (a) REFERENCE TO FEDERAL-AID HIGHWAYS.—The
15 last sentence of section 129(a)(4) of title 23, United
16 States Code, is amended by striking “the Federal-aid sys-
17 tem” and inserting “Federal-aid highways”.

18 (b) USE OF REVENUES.—Section 129(a)(3) of such
19 title is amended by striking “all toll revenues received”
20 and all that follows through the period at the end of the
21 first sentence and inserting the following: “toll revenues
22 received from operation of the toll facility will be used for
23 financing and any other obligations in respect of the facil-
24 ity, for reserves, for reasonable return to investors financ-
25 ing the project (as determined by the State), and for the

1 costs necessary for the proper operation and maintenance
2 of the toll facility, including reconstruction, resurfacing,
3 restoration, and rehabilitation.”.

4 (c) LOANS.—Section 129(a)(7) of such title is
5 amended—

6 (1) by inserting “or commit to loan” after
7 “loan” the first place it appears;

8 (2) by striking “agency” each place it appears
9 and inserting “entity”;

10 (3) by inserting after “constructing” the first
11 place it appears “or proposing to construct”;

12 (4) by striking “all Federal environmental re-
13 quirements have been complied with and permits ob-
14 tained” and inserting “the National Environmental
15 Policy Act of 1969 has been complied with”;

16 (5) by inserting “to a private entity” after
17 “Any such loan”;

18 (6) by inserting after the fifth sentence the fol-
19 lowing new sentence: “Any such loan to a public en-
20 tity shall bear interest at such rate as the State de-
21 termines appropriate.”; and

22 (7) by striking “the time the loan was obli-
23 gated” and inserting “the date of the initial funding
24 of the loan”.

1 (d) CONSTRUCTION OF FERRY BOATS AND FERRY
2 TERMINAL FACILITIES.—Section 129 of such title is
3 amended—

4 (1) in the first sentence of subsection (b) by
5 striking “the route of which” and all that follows
6 through the period at the end of such sentence and
7 inserting “the route of which has been classified as
8 a public road and has been designated as a route on
9 the Interstate System.”; and

10 (2) in subsection (c)(4) by striking “and” pre-
11 ceding “repair”.

12 (e) PILOT PROGRAM.—Section 129(j)(3) of such title
13 is amended—

14 (1) by striking “7” and inserting “8”; and

15 (2) by striking “State of Pennsylvania” each
16 place it appears and inserting “States of Pennsylva-
17 nia and West Virginia”.

18 (f) TREATMENT OF CENTENNIAL BRIDGE, ROCK IS-
19 LAND, ILLINOIS, AGREEMENT.—For purposes of section
20 129(a)(6) of title 23, United States Code, the agreement
21 concerning the Centennial Bridge, Rock Island, Illinois,
22 entered into under the Act entitled “An Act authorizing
23 the city of Rock Island, Illinois, or its assigns, to con-
24 struct, maintain, and operate a toll bridge across the Mis-
25 sissippi River at or near Rock Island, Illinois, and to a

1 place at or near the city of Davenport, Iowa”, approved
2 March 18, 1938 (52 Stat. 110), shall be treated as if such
3 agreement had been entered into under section 129 of title
4 23, United States Code, as in effect on December 17,
5 1991, and may be modified accordingly.

6 (g) TREATMENT OF I-95 AND PENNSYLVANIA TURN-
7 PIKE.—For purposes of section 129 of title 23, United
8 States Code, the project for construction of an interchange
9 between Interstate Route 95 and the Pennsylvania Turn-
10 pike shall be treated as a reconstruction project described
11 in section 129(a)(1)(B) of such title.

12 **SEC. 121. RAIL-HIGHWAY CROSSINGS.**

13 Section 130 of title 23, United States Code, is
14 amended—

15 (1) in subsection (a) by striking “Except as
16 provided in subsection (d) of” and inserting “Sub-
17 ject to”;

18 (2) in subsection (a) by striking “entire” each
19 place it appears;

20 (3) in subsection (a) by striking “except as pro-
21 vided in subsection (d) of” and inserting “subject
22 to”;

23 (4) in subsection (e) by striking “authorized for
24 and”;

1 (5) in subsection (e) by striking the last sen-
2 tence; and

3 (6) by striking subsection (f) and redesignating
4 subsections (g) and (h) as subsections (f) and (g),
5 respectively.

6 **SEC. 122. SURFACE TRANSPORTATION PROGRAM.**

7 (a) STATE CERTIFICATION.—Section 133 of title 23,
8 United States Code, is amended—

9 (1) in subsection (c) by striking “subsections
10 (b) (3) and (4)” and inserting “subsections (b)(3)
11 and (b)(4)”;

12 (2) in subsection (d)(3)(B) by striking “tobe”
13 and inserting “to be”; and

14 (3) in subsection (e)(2) by inserting after “each
15 State” the following: “or the designated transpor-
16 tation authority of the State”.

17 (b) TECHNICAL AMENDMENT.—Section 1007(b)(1)
18 of the Intermodal Surface Transportation Efficiency Act
19 of 1991 (105 Stat. 1930) is amended—

20 (1) by striking “104(b)(3)” and inserting
21 “104(b)”;

22 (2) by striking “to read as follows” and insert-
23 ing “by inserting after paragraph (2) the following
24 new paragraph”.

1 **SEC. 123. METROPOLITAN PLANNING.**

2 (a) TECHNICAL AMENDMENTS.—Section 134 of title
3 23, United States Code, is amended—

4 (1) in each of subsections (b)(2), (b)(3), and
5 (h)(4) by striking “the date of the enactment of this
6 section” and inserting “December 18, 1991”;

7 (2) in each of subsections (b)(3)(B) and
8 (g)(2)(B) by striking “long-range” and inserting
9 “long range”;

10 (3) in subsection (f)(11) by inserting “pas-
11 sengers and” before “freight”;

12 (4) in subsection (g)(5) by redesignating sub-
13 paragraphs (i) and (ii) as subparagraphs (A) and
14 (B); and

15 (5) in subsection (k) by striking “the Federal-
16 Aid Highway Act of 1991” and inserting “this
17 title”.

18 (b) FACTORS TO BE CONSIDERED.—Section 134(f)
19 of such title is amended by adding at the end the following
20 new paragraph:

21 “(16) Recreational travel and tourism.”.

22 (c) TRANSFER OF FUNDS.—Section 134(k) of such
23 title is amended by striking the last sentence.

24 (d) CONFORMING CHAPTER ANALYSIS AMEND-
25 MENT.—The analysis for chapter 1 of such title is amend-
26 ed by striking

“134. Transportation planning in certain urban areas.”

1 and inserting

“134. Metropolitan planning.”.

2 **SEC. 124. STATEWIDE PLANNING.**

3 Section 135 of title 23, United States Code, is
4 amended—

5 (1) in subsection (c) by striking paragraph (1)
6 and inserting the following new paragraph:

7 “(1) The transportation needs identified
8 through use of the management systems required by
9 section 303 of this title.”;

10 (2) in subsection (c)(5) by inserting after
11 “nonmetropolitan areas” the following: “, including
12 the identification of a rural priority local road and
13 bridge system,”;

14 (3) in subsection (c) by striking paragraph (15)
15 and redesignating paragraphs (16) through (20) as
16 paragraphs (15) through (19), respectively;

17 (4) in subsection (c)(18), as so redesignated, by
18 striking “commercial motor vehicles” and inserting
19 “passengers and freight”;

20 (5) in subsection (d)(3) by striking “concerns”
21 and inserting “transportation needs”;

22 (6) in each of subsections (e) and (f)(1) by in-
23 serting “Indian tribal governments,” after “private
24 providers of transportation,”; and

1 (7) in subsection (h)—

2 (A) by striking “United States Code,” and
3 inserting “other Federal laws, and”;

4 (B) by striking “this Act” and inserting
5 “this title”; and

6 (C) by striking “or section 8 of such Act,”
7 and inserting “of this title, or section 8 of the
8 Federal Transit Act,”.

9 **SEC. 125. CONTROL OF JUNKYARDS.**

10 (a) STRICTER STATE STANDARDS.—Section 136(l) of
11 title 23, United States Code, is amended by striking “the
12 Federal-aid highway systems” and inserting “Federal-aid
13 highways”.

14 (b) PRIMARY SYSTEM DEFINED.—Section 136 of
15 such title is amended by adding at the end the following
16 new subsection:

17 “(n) PRIMARY SYSTEM DEFINED.—For purposes of
18 this section, the term ‘primary system’ means the Federal-
19 aid primary system in existence on June 1, 1991, and any
20 highway which is not on such system but which is on the
21 National Highway System.”.

22 **SEC. 126. NONDISCRIMINATION.**

23 Section 140(b) of title 23, United States Code, is
24 amended—

1 (1) by inserting “operator of a Youth Corps
2 center,” after “nonprofit),”;

3 (2) by striking “for the surface transportation
4 program”; and

5 (3) by striking “the bridge program”.

6 **SEC. 127. ENFORCEMENT OF REQUIREMENTS.**

7 Section 141(b) of title 23, United States Code, is
8 amended by striking “the Federal-aid primary highway
9 system” and all that follows through “including” and in-
10 serting “Federal-aid highways, including highways on”.

11 **SEC. 128. AVAILABILITY OF RIGHTS-OF-WAY.**

12 Section 142 of title 23, United States Code, is
13 amended—

14 (1) in subsection (a)(2) by striking “the sur-
15 face” and inserting “surface”; and

16 (2) in subsection (g) by striking “exits” and in-
17 serting “exists”.

18 **SEC. 129. HIGHWAY BRIDGE PROGRAM.**

19 (a) SEISMIC RETROFIT PROJECTS.—

20 (1) ELIGIBILITY.—Section 144(d) of title 23,
21 United States Code, is amended by inserting before
22 the period at the end of the third sentence the fol-
23 lowing: “; except that a State may carry out a
24 project for seismic retrofit of a bridge under this
25 section without regard to whether such bridge is eli-

1 gible for replacement or rehabilitation under this
2 section”.

3 (2) APPORTIONMENT FACTOR ADJUSTMENT.—
4 Section 144(e) of such title is amended—

5 (A) by inserting before the period at the
6 end of the fourth sentence the following: “and
7 by the total cost of all projects carried out
8 under this section in such State seismic retrofit
9 of highway bridges not eligible for replacement
10 or rehabilitation under this section”; and

11 (B) by striking “Federal-aid primary sys-
12 tem” and inserting “National Highway Sys-
13 tem”.

14 (b) SET ASIDES.—Section 144(g) of such title is
15 amended—

16 (1) in paragraph (1) by striking “103” and in-
17 serting “1003”;

18 (2) in paragraph (3) by striking “OFF-SYSTEM
19 BRIDGES” and inserting “BRIDGES NOT ON FED-
20 ERAL-AID HIGHWAYS”;

21 (3) in paragraph (3) by striking “, other than
22 those on a Federal-aid system” and inserting “that
23 are functionally classified as local or rural minor col-
24 lectors”; and

1 (4) in paragraph (3) by striking “bridges not
2 on a Federal-aid system” and inserting “such
3 bridges”.

4 (c) CROSS REFERENCE.—Section 144(i) of such title
5 is amended by striking “307(e)” and inserting “307(h)”.

6 (d) CONTINUATION OF EXISTING BRIDGE APPOR-
7 TIONMENT CRITERIA.—The criteria for apportionment of
8 funds used by the Department of Transportation under
9 section 144 of title 23, United States Code, as in effect
10 on September 30, 1991, shall remain in effect until Sep-
11 tember 30, 1997, or until changed by law, whichever oc-
12 curs first.

13 **SEC. 130. HAZARD ELIMINATION PROGRAM.**

14 Section 152 of title 23, United States Code, is
15 amended—

16 (1) in subsection (c) by striking “authorized”
17 and inserting “available”; and

18 (2) by striking subsections (d) and (e) and re-
19 designating subsections (f), (g), and (h) as sub-
20 sections (d), (e), and (f), respectively.

21 **SEC. 131. USE OF SAFETY BELTS AND MOTORCYCLE HEL-**
22 **METS.**

23 (a) REFERENCE TO DATE OF ENACTMENT.—Section
24 153 of title 23, United States Code, is amended in each
25 of subsections (c) and (i)(3) by striking “the date of the

1 enactment of this section” and inserting “December 31,
2 1991”.

3 (b) ELIGIBILITY FOR GRANTS.—Section 153(f)(2) of
4 such title is amended by striking “at all times” each place
5 it appears.

6 (c) PENALTIES.—Section 153(h) of such title is
7 amended—

8 (1) in paragraph (1) by striking “at any time
9 in” and inserting “by the last day of”;

10 (2) in paragraph (2) by inserting “by the last
11 day of fiscal year 1995 or” after “If,”;

12 (3) in paragraph (2) by striking “1994,” and
13 inserting “1995,”; and

14 (4) in paragraph (4)(A) by striking “under sec-
15 tion 402” and inserting “by this subsection”.

16 (d) DEFINITIONS.—Section 153(i) of such title is
17 amended by adding at the end the following new para-
18 graph:

19 “(5) STATE.—The term ‘State’ has the mean-
20 ing such term has under chapter 4 of this title.”.

21 **SEC. 132. NATIONAL MAXIMUM SPEED LIMIT.**

22 (a) EXISTING PROGRAM.—Section 154(a)(1) of title
23 23, United States Code, is amended by striking “on the
24 Interstate System” and all that follows through “or more”

1 and inserting “described in clause (2) or (3) of this sub-
2 section”.

3 (b) NEW PROGRAM.—Section 1029 of the Intermodal
4 Surface Transportation Efficiency Act of 1991 (105 Stat.
5 1968–1970) is amended—

6 (1) in subsection (c)(1)(A) by inserting “of a
7 State” after “apportionments”;

8 (2) in subsection (c)(1)(A) by striking “if a
9 State” and inserting “to the apportionment of the
10 State under section 402 of such title if the State”;

11 (3) in subsection (c) by redesignating para-
12 graphs (2) and (3) as paragraphs (3) and (4), re-
13 spectively;

14 (4) by inserting after paragraph (1) of sub-
15 section (c) the following new paragraph:

16 “(2) SPECIFIC REQUIREMENTS.—

17 “(A) MINIMUM AND MAXIMUM PERCENT-
18 AGES.—The transfer of apportionments re-
19 quired pursuant to paragraph (1)(A) shall not
20 be less than 1 percent and not be more than 5
21 percent of the funds apportioned to the State;
22 except that, in any case in which an apportion-
23 ment of a State is transferred pursuant to this
24 subsection in 2 or more consecutive fiscal years,
25 the minimum percentage to be transferred shall

1 be 2 percent and the maximum percentage to
2 be transferred shall be 10 percent.

3 “(B) LIMITATION ON USE OF FUNDS.—

4 “(i) GENERAL RULE.—A State must
5 obligate at least 50 percent of its funds
6 transferred pursuant to this subsection for
7 a fiscal year for speed limit enforcement
8 and public information and education.

9 “(ii) WAIVER.—Upon request of a
10 State, the Secretary may waive the re-
11 quirement of clause (i) for any fiscal year
12 quarter if in the preceding fiscal year
13 quarter the State was in compliance with
14 the speed limit requirements established
15 pursuant to paragraph (1).”;

16 (5) in paragraph (4) of subsection (c), as so re-
17 designated, by striking “60” and inserting “120”;

18 (6) in paragraph (4) of subsection (c), as so re-
19 designated, by inserting “and paragraph (2)” after
20 “paragraph (1)” the second place it appears; and

21 (7) in subsection (f) by striking “and 1991”
22 and inserting “, 1991, and 1992”.

23 **SEC. 133. MINIMUM ALLOCATION.**

24 Section 157 of title 23, United States Code, is
25 amended—

1 (1) in subsection (a)(2) by striking “118(b)(2)”
2 and inserting “118(b)(1)”;

3 (2) in subsection (a)(3) by striking “year 1989”
4 and inserting “years 1989”; and

5 (3) by striking subsection (c) and redesignating
6 subsections (d) and (e) as subsections (c) and (d),
7 respectively.

8 **SEC. 134. NATIONAL MINIMUM DRINKING AGE.**

9 (a) CONFORMING AMENDMENTS.—Section 158 of
10 title 23, United States Code, is amended—

11 (1) in subsection (a) by striking “104(b)(5),
12 and 104(b)(6)” each place it appears and inserting
13 “104(b)(3), and 104(b)(5)”;

14 (2) in subsection (b)(1)(A)(iii) by striking
15 “104(b)(6)” and inserting “104(b)(3)”;

16 (3) in subsection (b)(3)(B) by striking
17 “104(b)(5)(B), or 104(b)(6)” and inserting
18 “104(b)(3), or 104(b)(5)(B)”;

19 (4) in each of subsections (b)(3) and (b)(4) by
20 striking “118(b)” and inserting “118”.

21 (b) APPLICABILITY.—The amendments made by sub-
22 section (a) shall apply to funds withheld from apportion-
23 ment on or after October 1, 1991.

1 **SEC. 135. REVOCATION OF DRIVERS' LICENSES OF INDIVID-**
2 **UALS CONVICTED OF DRUG OFFENSES.**

3 Section 159 of title 23, United States Code, is
4 amended in each of subsections (b)(3) and (b)(4) by strik-
5 ing "118(b)" and inserting "118".

6 **SEC. 136. REIMBURSEMENT FOR SEGMENTS OF INTER-**
7 **STATE SYSTEM CONSTRUCTED WITHOUT**
8 **FEDERAL ASSISTANCE.**

9 Section 160 of title 23, United States Code, is
10 amended—

11 (1) in subsection (b) by striking "The amount"
12 and inserting "Subject to subsection (g), the
13 amount"; and

14 (2) by adding at the end the following new sub-
15 section:

16 "(g) PUERTO RICO.—Notwithstanding any other pro-
17 vision of this section, Puerto Rico shall receive in a fiscal
18 year $\frac{1}{2}$ of 1 percent of the amounts appropriated pursu-
19 ant to subsection (f) for such fiscal year. No State (includ-
20 ing the District of Columbia) which has a reimbursement
21 percentage in the table contained in subsection (c) of 0.50
22 shall have its reimbursement amount in fiscal years 1996
23 and 1997 reduced as a result of the enactment of the pre-
24 ceding sentence."

1 **SEC. 137. FEDERAL LANDS HIGHWAY PROGRAM.**

2 (a) PUBLIC LANDS HIGHWAYS ALLOCATION.—Sec-
3 tion 204 of title 23, United States Code, is amended by
4 striking “66 percent of the remainder” and inserting “the
5 remaining 66 percent”.

6 (b) AVAILABILITY OF FUNDS.—Section 203 of such
7 title is amended by striking the comma preceding “forest
8 development” each place it appears.

9 (c) PURPOSES FOR WHICH FUNDS MAY BE USED.—
10 Section 204(b) of such title is amended—

11 (1) by striking “construction and improvement”
12 each place it appears and inserting “planning, re-
13 search, engineering, and construction”; and

14 (2) by striking “construction or improvement”
15 and inserting “planning, research, engineering, or
16 construction”.

17 (d) APPROVAL OF INDIAN RESERVATION ROAD
18 PROJECTS.—Section 204(c) of such title is amended by
19 inserting “of” after “15 percent”.

20 (e) OBLIGATION OF FUNDS.—Section 204 of such
21 title is amended by adding at the end the following new
22 subsection:

23 “(k) OBLIGATION OF FUNDS.—Notwithstanding any
24 other provision of law, funds available for Federal lands
25 highway programs shall be treated as obligated if—

1 “(1) the Secretary authorizes engineering and
2 related work for a particular project; or

3 “(2) the Secretary approves plans, specifica-
4 tions, and estimates for procurement of construction
5 under section 106 or 117 of this title.”.

6 (f) REFERENCE TO PARK ROADS.—Section
7 1003(a)(6)(C) of the Intermodal Surface Transportation
8 Efficiency Act of 1991 (105 Stat. 1919) is amended—

9 (1) by striking “HIGHWAYS” in the subpara-
10 graph heading and inserting “ROADS”; and

11 (2) by striking “highways” the place it appears
12 preceding “\$69,000,000” and inserting “roads”.

13 (g) TECHNICAL AMENDMENT.—Section
14 1032(b)(2)(A) of such Act (105 Stat. 1974) is amended
15 by striking “improvements” and inserting “improvement”.

16 **SEC. 138. BICYCLE TRANSPORTATION AND PEDESTRIAN**
17 **WALKWAY.**

18 Section 217 of title 23, United States Code, is
19 amended—

20 (1) in subsection (b) by inserting “pedestrian
21 walkways and” before “bicycle transportation facili-
22 ties”;

23 (2) by redesignating subsection (j) as sub-
24 section (k); and

1 (3) by inserting after subsection (i) the follow-
2 ing new subsection:

3 “(j) INCLUSION OF PEDESTRIAN WALKWAYS AND BI-
4 CYCLE TRANSPORTATION FACILITIES IN PLANNING.—

5 “(1) GENERAL RULE.—The Secretary may not
6 approve under this chapter a highway project for
7 new construction or reconstruction within the bound-
8 aries of a State along which a pedestrian walkway
9 or bicycle transportation facility is required to be in-
10 cluded under the State’s transportation improvement
11 plan developed under section 135 unless such pedes-
12 trian walkway or bicycle transportation facility is
13 part of such highway project.

14 “(2) EXCEPTION.—The Secretary does not have
15 to approve a project for construction of a pedestrian
16 walkway or bicycle transportation facility under
17 paragraph (1)—

18 “(A) if the Secretary determines that such
19 construction is not feasible or that use of the
20 walkway or facility would pose a safety risk to
21 pedestrians or bicyclists, as the case may be; or

22 “(B) the Secretary determines that there
23 will be no substantial transportation or recre-
24 ation benefit resulting from the project.”.

1 **SEC. 139. MANAGEMENT SYSTEMS.**

2 Section 303 of title 23, United States Code, is
3 amended in each of subsections (a) and (b) by striking
4 “1 year after the date of the enactment of this section”
5 and inserting “December 18, 1992”.

6 **SEC. 140. STATE PLANNING AND RESEARCH.**

7 Section 307 of title 23, United States Code, is
8 amended—

9 (1) in subsection (c)(1) by striking “104” and
10 inserting “104(b)”;

11 (2) in subsection (e)(3)(C) by striking “climac-
12 tic” and inserting “climatic”;

13 (3) in subsection (e)(13) by striking the
14 quotation marks preceding “\$35,000,000”;

15 (4) in subsection (f) by inserting “Earthquake”
16 after “National”; and

17 (5) in subsection (f) by striking “section” the
18 first place it appears and inserting “paragraph”.

19 **SEC. 141. INTERNATIONAL HIGHWAY TRANSPORTATION**
20 **OUTREACH PROGRAM.**

21 Section 325(a)(5) of title 23, United States Code, is
22 amended by striking “the date of the enactment of this
23 section” and inserting “December 18, 1991”.

24 **SEC. 142. HIGHWAY SAFETY PROGRAMS.**

25 (a) ESTABLISHMENT OF PROGRAMS.—Section 402(a)
26 of title 23, United States Code, is amended—

1 (1) by striking “section 4007” and inserting
2 “section 4004”; and

3 (2) by striking “performance criteria” and in-
4 serting “performance goals”.

5 (b) ADMINISTRATIVE REQUIREMENTS.—Section
6 402(b) of such title is amended—

7 (1) in paragraph (1) by striking the period at
8 the end of each of subparagraphs (A) and (B) and
9 inserting a semicolon;

10 (2) in paragraph (1)(C) by inserting “, includ-
11 ing Indian tribal governments,” after “subdivisions
12 of such State”;

13 (3) in paragraph (1)(C) by striking the period
14 at the end and inserting “; and”;

15 (4) by striking paragraph (1)(E); and

16 (5) by striking paragraphs (3) and (4) and re-
17 designating paragraph (5) as paragraph (3).

18 (c) APPORTIONMENT OF FUNDS.—Section 402(c) of
19 such title is amended by striking the 8th sentence.

20 (d) APPLICATION IN INDIAN COUNTRY.—Section
21 402(i) of such title is amended to read as follows:

22 “(i) APPLICATION IN INDIAN COUNTRY.—

23 “(1) IN GENERAL.—For the purpose of the ap-
24 plication of this section in Indian country, the terms
25 ‘State’ and ‘Governor of a State’ include the Sec-

1 retary of the Interior and the term ‘political subdivi-
2 sion of a State’ includes an Indian tribe. Notwith-
3 standing the provisions of subsection (b)(1)(C), 95
4 percent of the funds transferred to the Secretary of
5 the Interior under this section shall be expended by
6 Indian tribes to carry out highway safety programs
7 within their jurisdictions. The provisions of sub-
8 section (b)(1)(D) shall be applicable to Indian tribes,
9 except to those tribes with respect to which the Sec-
10 retary determines that application of such provisions
11 would not be practicable.

12 “(2) INDIAN COUNTRY DEFINED.—For the pur-
13 poses of this subsection, the term ‘Indian country’
14 means—

15 “(A) all land within the limits of any In-
16 dian reservation under the jurisdiction of the
17 United States, notwithstanding the issuance of
18 any patent, and including rights-of-way running
19 through the reservation;

20 “(B) all dependent Indian communities
21 within the borders of the United States whether
22 within the original or subsequently acquired ter-
23 ritory thereof and whether within or without
24 the limits of a State; and

1 “(C) all Indian allotments, the Indian ti-
2 tles to which have not been extinguished, in-
3 cluding rights-of-way running through such al-
4 lotments.”.

5 (e) RULEMAKING PROCESS.—Section 402(j) of such
6 title is amended to read as follows:

7 “(j) RULEMAKING PROCESS.—The Secretary may
8 from time to time conduct a rulemaking process to deter-
9 mine those highway safety programs that are most effec-
10 tive in reducing traffic accidents, injuries, and deaths. Any
11 rule under this subsection shall be promulgated taking
12 into account consideration of the views of the States hav-
13 ing a major role in establishing such programs. When a
14 rule promulgated in accordance with this subsection takes
15 effect, only those programs established by such rule as
16 most effective in reducing traffic accidents, injuries, and
17 deaths shall be eligible to receive Federal financial assist-
18 ance under this section.”.

19 (f) RECORDKEEPING SYSTEM.—Section 402 of such
20 title is amended by striking subsection (k).

21 (g) SECTION 2005.—Section 2005(1) of the Inter-
22 modal Surface Transportation Efficiency Act of 1991
23 (105 Stat. 2079) is amended by striking “, 1994,” and
24 inserting “and 1994 and \$146,000,000 for each of fiscal
25 years”.

1 **SEC. 143. ALCOHOL-IMPAIRED DRIVING COUNTER MEAS-**
2 **URES.**

3 Section 410(c)(1)(E) of title 23, United States Code,
4 is amended by striking “the date of enactment of this sec-
5 tion” and inserting “December 18, 1991”.

6 **SEC. 144. PUBLIC TRANSIT FACILITIES.**

7 Section 1023(h) of the Intermodal Surface Transpor-
8 tation Efficiency Act of 1991 is amended by striking “this
9 Act” each place it appears and inserting “the Department
10 of Transportation and Related Agencies Appropriations
11 Act, 1993”.

12 **SEC. 145. USE OF RECYCLED PAVING MATERIAL.**

13 Section 1038(e) of the Intermodal Surface Transpor-
14 tation Efficiency Act of 1991 (23 U.S.C. 109 note) is
15 amended—

16 (1) by striking “and” at the end of paragraph
17 (1);

18 (2) by striking the period at the end of para-
19 graph (2) and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(3) the term ‘State’ has the meaning such
22 term has under section 101 of title 23, United
23 States Code.”.

1 **SEC. 146. WORK ZONE SAFETY.**

2 Section 1051 of the Intermodal Surface Transpor-
3 tation Efficiency Act of 1991 (23 U.S.C. 401 note) is
4 amended—

5 (1) by inserting “technologies and services,”
6 after “appurtenances,”;

7 (2) by inserting “training,” after “traffic con-
8 trol plans,”; and

9 (3) by adding at the end the following new sen-
10 tence: “The Secretary shall annually review, and
11 provide to State and local governments, information
12 and recommendations concerning safety practices
13 that can enhance safety at highway construction
14 sites, including information relating to new safety
15 technologies, services, traffic control plans, training,
16 and work zone-related bidding practices.”.

17 **SEC. 147. HIGH COST BRIDGE PROJECT.**

18 The table contained in section 1103(b) of the Inter-
19 modal Surface Transportation Efficiency Act of 1991
20 (105 Stat. 2027–2028) is amended in item number 5, re-
21 lating to Gloucester Point, Virginia, by inserting after
22 “York River” the following: “and for repair, strengthen-
23 ing, and rehabilitation of the existing bridge”.

24 **SEC. 148. CONGESTION RELIEF PROJECT.**

25 The table contained in section 1104(b) of the Inter-
26 modal Surface Transportation Efficiency Act of 1991

1 (105 Stat. 2029–2031) is amended in item number 10,
2 relating to San Diego, California, by striking “1 block of
3 Cut and Cover Tunnel on Rt. 15” and inserting “bridge
4 decking on Route 15”.

5 **SEC. 149. HIGH PRIORITY CORRIDORS ON NATIONAL HIGH-**
6 **WAY SYSTEM.**

7 (a) EAST-WEST TRANSAMERICA CORRIDOR.—Section
8 1105(c)(3) of the Intermodal Surface Transportation Effi-
9 ciency Act of 1991 (105 Stat. 2032) is amended by insert-
10 ing before the period at the end the following: “, including
11 (A) a Kentucky corridor centered on the cities of Paducah,
12 Benton, Hopkinsville, Bowling Green, Columbia, Somer-
13 set, London, Hazard, Jenkins, and Pikeville, Kentucky, to
14 Williamson, West Virginia, and (B) a West Virginia cor-
15 ridor from Williamson to the vicinity of Welch, West Vir-
16 ginia, which shares a common corridor with the Interstate
17 Route 73/74 corridor, and from the vicinity of Welch to
18 Beckley, West Virginia, as part of the Coalfields Express-
19 way described in section 1069(v)”.

20 (b) INDIANAPOLIS TO HOUSTON CORRIDOR.—Section
21 1105(c)(18) of such Act (105 Stat. 2032) is amended by
22 inserting before the period at the end the following: “, in-
23 cluding a Kentucky corridor centered on the cities of Hen-
24 derson, Sturgis, Smithland, Paducah, Bardwell, and Hick-
25 man, Kentucky”.

1 **SEC. 150. HIGH PRIORITY CORRIDOR PROJECT.**

2 The table contained in section 1105(f) of the Inter-
3 modal Surface Transportation Efficiency Act of 1991
4 (105 Stat. 2033–2035) is amended in item number 26,
5 relating to Indiana, Kentucky, Tennessee, by striking
6 “Newberry” and inserting “Evansville”.

7 **SEC. 151. RURAL ACCESS PROJECTS.**

8 The table contained in section 1106(a)(2) of the
9 Intermodal Surface Transportation Efficiency Act of 1991
10 (105 Stat. 2037–2042) is amended—

11 (1) in item number 34, relating to Illinois, by
12 striking “Resurfacing” and all that follows through
13 “Omaha” and inserting “Bel-Air Road improvement
14 from south of Carmi to State Route 141 in south-
15 eastern White County”;

16 (2) in item number 52, relating to Bedford
17 Springs, Pennsylvania, by striking “and Hunting-
18 ton” and inserting “Cambria, Franklin, and Hun-
19 tingdon”;

20 (3) in item number 61, relating to Lubbock,
21 Texas, by striking “with” and inserting “with Inter-
22 state 10 through”;

23 (4) in item number 75, relating to Pennsylva-
24 nia, by striking “Widen” and all that follows
25 through “lanes” and inserting “Road improvements

1 on a 14-mile segment of U.S. Route 15 in Tioga
2 County, Pennsylvania”;

3 (5) in item number 92, relating to Ohio, by
4 striking “Minerva, Ohio” and insert “Lisbon, Ohio”;

5 (6) in item number 93, relating to New Mexico,
6 by striking “Raton-Clayton Rd., Clayton, New Mex-
7 ico” and inserting “U.S. Rt. 64/87 from Raton, New
8 Mexico, through Clayton to the Texas-New Mexico
9 State line”; and

10 (7) in item number 111, relating to Parker
11 County, Texas (SH199)—

12 (A) by striking “Parker County” and in-
13 serting “Parker and Tarrant Counties”; and

14 (B) by striking “to four-” and inserting
15 “in Tarrant County, to freeway standards and
16 in Parker County to a 4-”.

17 **SEC. 152. URBAN ACCESS AND MOBILITY PROJECTS.**

18 The table contained in section 1106(b)(2) of the
19 Intermodal Surface Transportation Efficiency Act of 1991
20 (105 Stat. 2043–2047) is amended—

21 (1) in item number 13, relating to Joliet, Illi-
22 nois, by striking “and construction and interchange
23 at Houbolt Road and I–80”; and

24 (2) in item number 36, relating to Compton,
25 California, by striking “For a grade” and all that

1 follows through “Corridor” and inserting “For grade
2 separations and other improvements in the city of
3 Compton, California”.

4 **SEC. 153. INNOVATIVE PROJECTS.**

5 The table contained in section 1107(b) of the Inter-
6 modal Surface Transportation Efficiency Act of 1991
7 (105 Stat. 2048–2059) is amended—

8 (1) in item number 29, relating to Blacksburg,
9 Virginia, by inserting “methods of facilitating public
10 and private participation in” after “demonstrate”;

11 (2) in item number 35, relating to Alabama, by
12 striking “to bypass” and all that follows through “I-
13 85” and inserting “beginning on U.S. Route 80 west
14 of Montgomery, Alabama, and connecting to I-65
15 south of Montgomery and I-85 east of Montgom-
16 ery”;

17 (3) in item number 52, relating to Pennsylva-
18 nia, by striking “off Interstate” and all that follows
19 through “Mountaintop,” and inserting “and highway
20 improvements off Interstate 81 between Pittston and
21 Hazleton,”;

22 (4) in item number 61, relating to Mojave, Cali-
23 fornia, by striking “Mojave” and inserting
24 “Victorville” and by inserting “Mojave” after “re-
25 construct”;

1 (5) in item number 100, relating to Arkansas,
2 by striking “Thornton” and inserting “Little Rock”;
3 and

4 (6) in item number 114, relating to Corpus
5 Christi to Angleton, Texas, by striking “Construct
6 new multi-lane freeway” and inserting “Construct a
7 4-lane divided highway”.

8 **SEC. 154. INTERMODAL PROJECT.**

9 The table contained in section 1108(b) of the Inter-
10 modal Surface Transportation Efficiency Act of 1991
11 (105 Stat. 2060–2063) is amended in item number 9, re-
12 lating to E. Haven/Wallingford, Connecticut—

13 (1) by striking “\$8.8” and inserting “\$7.5”;

14 (2) by striking “\$2.4” and inserting “\$2.0”;

15 and

16 (3) by striking “\$0.7” and inserting “\$0.6”.

17 **SEC. 155. MISCELLANEOUS INTERMODAL SURFACE TRANS-**
18 **PORTATION EFFICIENCY ACT AMENDMENTS.**

19 (a) CROSS REFERENCE IN HIGHWAY USE TAX EVA-
20 SION PROGRAM.—Section 1040(a) of the Intermodal Sur-
21 face Transportation Efficiency Act of 1991 (23 U.S.C.
22 101 note; 105 Stat. 1992) is amended by striking “(e)”
23 and inserting “(f)”.

1 (b) REPORT TO CONGRESS ON QUALITY IMPROVE-
2 MENT.—Section 1043(b) of such Act (105 Stat. 1993) is
3 amended by inserting “General” after “Comptroller”.

4 (c) PERIOD OF AVAILABILITY OF FUNDS FOR MIS-
5 CELLANEOUS PROJECTS.—Section 1069 of such Act is
6 amended—

7 (1) by striking the last sentence of subsection
8 (y); and

9 (2) by adding at the end the following new sub-
10 section:

11 “(ii) PERIOD OF AVAILABILITY.—Funds provided to
12 carry out this section shall remain available until ex-
13 pended.”.

14 (d) FINAL RULE FOR ROADSIDE BARRIERS AND
15 SAFETY APPURTENANCES.—Section 1073(b) of such Act
16 (105 Stat. 2012) is amended by striking “1 year” and
17 inserting “2 years”.

18 (e) INTERSTATE STUDY COMMISSION.—Section 1099
19 of such Act (105 Stat. 2026) is amended—

20 (1) by striking “bill” and inserting “Act”;

21 (2) by striking “passage of this legislation” and
22 inserting “the enactment of this Act”;

23 (3) by inserting after “Columbia” the second
24 place it appears the following: “appointed by the
25 Governors of the States of Maryland and Virginia

1 and the Mayor of the District of Columbia, respec-
2 tively”; and

3 (4) by striking “appointed by the Governors
4 and the Mayor” and inserting “, 1 each for Mary-
5 land, Virginia, and the District of Columbia ap-
6 pointed by the Governors and the Mayor, respec-
7 tively”.

8 (f) DRUG RECOGNITION EXPERT TRAINING PRO-
9 GRAM.—Section 2006(b) of such Act (23 U.S.C. 403 note;
10 105 Stat. 2080) is amended by inserting “Federal” before
11 “Advisory”.

12 (g) APPLICABILITY OF OBLIGATION CEILING TO
13 CERTAIN HIGHWAY SAFETY PROGRAMS.—Section 2009
14 of such Act (105 Stat. 2080) is amended—

15 (1) by striking “(a) IN GENERAL.—”;

16 (2) by striking “211(b)” the first place it ap-
17 pears and inserting “211”;

18 (3) by striking “102” and inserting “1002”;

19 and

20 (4) by striking subsection (b).

21 **SEC. 156. DISADVANTAGED BUSINESS ENTERPRISE PRO-**
22 **GRAM.**

23 In administering section 1003(b) of the Intermodal
24 Surface Transportation Efficiency Act of 1991, the limita-
25 tion on annual gross receipts of a small business concern

1 set forth in paragraph (2)(A) of such section shall be the
2 only limitation on annual gross receipts which applies to
3 small business concerns.

4 **SEC. 157. AMENDMENTS TO SURFACE TRANSPORTATION**
5 **AND UNIFORM RELOCATION ASSISTANCE**
6 **ACT OF 1987.**

7 (a) NEW RIVER, WEST VIRGINIA.—Section
8 149(a)(62) of the Surface Transportation and Uniform
9 Relocation Assistance Act of 1987 (101 Stat. 191) is
10 amended by striking “in the vicinity of” and inserting “on
11 the west side of”.

12 (b) BURBANK-GLENDALE-PASADENA AIRPORT,
13 CALIFORNIA.—Section 149(a)(69) of such Act (101 Stat.
14 191) is amended—

15 (1) in the first sentence by striking “highway”;

16 (2) in the first sentence by striking “and con-
17 struction of terminal and parking facilities at such
18 airport”; and

19 (3) by striking “by making” in the second sen-
20 tence and all that follows through the period at the
21 end of such sentence and inserting: “by preparing a
22 feasibility study and conducting preliminary engi-
23 neering, design, and construction of a link between
24 such airport and the commuter rail system that is

1 being developed by the Los Angeles County Metro-
2 politan Transportation Authority.”.

3 **SEC. 158. FREEWAY SERVICE PATROLS.**

4 (a) GENERAL RULE.—Except to the extent that the
5 Secretary shall find that it is not feasible, any funds ex-
6 pended in a fiscal year directly or indirectly for freeway
7 service patrols from amounts made available to a State
8 under titles I and III of the Intermodal Surface Transpor-
9 tation Efficiency Act of 1991 shall be expended with pri-
10 vately owned or privately operated business concerns. The
11 preceding sentence shall not apply to any publicly owned
12 or operated freeway service patrol that was in operation
13 before the date of the enactment of this Act.

14 (b) DEFINITION.—For purposes of this section, the
15 term “freeway service patrol” means automotive road
16 service vehicles and automotive towing vehicles operated
17 in a continuous, dedicated service as part of an incident
18 management program.

19 **SEC. 159. PAN AMERICAN HIGHWAY.**

20 (a) STUDY.—The Secretary shall conduct a study on
21 the adequacy of and the need for improvements to the Pan
22 American Highway.

23 (b) ELEMENTS.—The study to be conducted under
24 subsection (a) shall at a minimum include the following
25 elements:

1 (1) Findings on the benefits of constructing a
2 highway at Darien Gap, Panama and Colombia.

3 (2) Recommendations for a self-financing ar-
4 rangement for completion and maintenance of the
5 Pan American Highway.

6 (3) Recommendations for establishing a Pan
7 American highway authority to monitor financing,
8 construction, maintenance, and operations of the
9 Pan American Highway.

10 (4) Findings on the benefits to trade and pros-
11 perity of a more efficient Pan American Highway.

12 (5) Findings on the benefits to United States
13 industry through the use of United States tech-
14 nology and equipment in construction of improve-
15 ments to the Pan American Highway.

16 (6) Findings on environmental considerations,
17 including environmental considerations relating to
18 the Darien Gap.

19 (c) REPORT.—Not later than 2 years after the date
20 of the enactment of this Act, the Secretary shall transmit
21 to Congress a report on the results of the study conducted
22 under this section.

1 **TITLE II—FEDERAL TRANSIT**
2 **PROGRAMS**

3 **SEC. 201. SECTION 3 PROGRAM AMENDMENTS.**

4 (a) ASSURED TIMETABLE FOR FINAL DESIGN
5 STAGE.—Section 3(a)(6)(C) of the Federal Transit Act
6 (49 U.S.C. App. 1602(a)(6)(C)) is amended by inserting
7 before the period at the end the following: “or, if an envi-
8 ronmental impact statement is not required for such
9 project, the date of completion of an environmental assess-
10 ment for such project or of a finding of no significant im-
11 pact”.

12 (b) RAIL MODERNIZATION.—Section 3(h) of such Act
13 is amended in paragraph (6) by striking “paragraph” and
14 inserting “subsection”.

15 (c) NONAPPLICABILITY.—Section 3(i)(5)(C) of such
16 Act is amended by striking “the Federal-Aid Highway Act
17 of 1991” and inserting the following: “title 23, United
18 States Code,”.

19 (d) TRANSITIONAL PROVISION FOR PROGRAMS OF
20 INTERRELATED PROJECTS.—Section 3011(b) of the
21 Intermodal Surface Transportation Efficiency Act of 1991
22 (49 U.S.C. App. 1602 note; 105 Stat. 2098) is amended
23 by inserting after “interrelated projects” the following:
24 “but excluding any project for which a timetable for
25 project review or for Federal funding is provided for by

1 a provision of law other than section 3(a)(6) of the Fed-
2 eral Transit Act and for which such timetable is different
3 than the timetable established by such section”.

4 (e) CONFORMING AMENDMENTS.—Section 3007 of
5 the Intermodal Surface Transportation Efficiency Act of
6 1991 (105 Stat. 2091) is amended—

7 (1) in paragraph (5)(B) by striking the comma
8 which precedes the closing quotation marks and the
9 semicolon; and

10 (2) in paragraph (6) by striking the comma
11 which precedes the closing quotation marks and the
12 final period.

13 **SEC. 202. METROPOLITAN PLANNING.**

14 (a) TECHNICAL AMENDMENTS.—Section 8 of the
15 Federal Transit Act (49 U.S.C. App. 1607) is amended—

16 (1) in subsection (f)(5) by inserting “of title 23,
17 United States Code” after “133”;

18 (2) in subsection (f)(9) by striking “of this
19 title” and inserting “of such title”;

20 (3) in subsection (f)(11) by inserting “pas-
21 sengers and” before “freight”;

22 (4) in subsection (g)(5) by redesignating sub-
23 paragraphs (i) and (ii) as subparagraphs (A) and
24 (B), respectively;

1 (5) in subsection (i)(3) by striking “this title
2 and the Federal Transit Act” and inserting “title
3 23, United States Code, and this Act”;

4 (6) in subsection (i)(4) by striking “or pursuant
5 to the Federal Transit” and inserting “, or pursuant
6 to this”;

7 (7) in subsection (i)(5) by inserting “of title 23,
8 United States Code,” after “section 134”;

9 (8) in subsection (i)(5) by inserting “of such
10 title” after “104(b)(3)”;

11 (9) in subsection (i)(5) by inserting “of such
12 title” after “133(d)(3)” each place it appears;

13 (10) in subsection (i)(5) by striking “the Fed-
14 eral Transit” the first 2 places it appears and in-
15 serting “this”;

16 (11) in subsection (i)(5) by striking “section
17 8(o) of the Federal Transit Act” and inserting “sub-
18 section (o) of this section”;

19 (12) in subsection (m)(1) by striking “or the
20 Federal Transit” and inserting “, or this”;

21 (13) in each of subsections (p)(2) and (p)(4) by
22 striking “section 8” the first place it appears and in-
23 serting “this section”;

24 (14) in subsection (p)(2) by striking “section 8
25 of this Act” and inserting “this section”;

1 (15) in subsection (p)(3) by striking “subpara-
2 graph (B)” and inserting “paragraph (2)”; and

3 (16) in subsection (p)(5) by striking “para-
4 graph” and inserting “section”.

5 (b) FACTORS TO BE CONSIDERED.—Section 8(f) of
6 such Act is amended by adding at the end the following
7 new paragraph:

8 “(16) Recreational travel and tourism.”.

9 (c) TRANSFER OF FUNDS.—Section 8(k) of such Act
10 is amended by striking the last sentence.

11 (d) NONATTAINMENT AREA REQUIREMENTS.—Sec-
12 tion 8(l) of such Act is amended by striking “transit” and
13 inserting “highway”.

14 **SEC. 203. FORMULA GRANT PROGRAM.**

15 (a) TRANSIT SECURITY SYSTEMS.—Section 9(e)(3)
16 of the Federal Transit Act (49 U.S.C. App. 1607a(e)(3))
17 is amended by inserting before “and any other” in the
18 last sentence the following: “employing law enforcement
19 or security personnel in areas within or adjacent to such
20 systems;”.

21 (b) LIMITATION ON FUNDING OF OPERATING AS-
22 SISTANCE.—Section 9(k)(2)(A) of such Act is amended by
23 adding at the end the following new sentence: “If an ur-
24 banized area had a population under the 1980 decennial
25 census of the United States of more than 1,000,000 and

1 has a population under the 1990 decennial census of less
2 than 1,000,000, the maximum percentage of funds which
3 may be used for operating assistance for purposes of the
4 first sentence shall be 90 percent of the amount of funds
5 apportioned in fiscal year 1982 under such paragraphs
6 (1)(A), (2)(A), and (3)(A) to such area.”.

7 (c) GRANDFATHER OF CERTAIN URBANIZED
8 AREAS.—Section 9(s)(2) of such Act is amended by strik-
9 ing “fiscal year 1993,” and inserting “each of fiscal years
10 1993 and 1994,”.

11 (d) FERRYBOAT OPERATIONS.—For purposes of cal-
12 culating apportionments under section 9 of the Federal
13 Transit Act for fiscal years beginning after September 30,
14 1993, 50 percent of the ferryboat revenue vehicle miles
15 and 50 percent of the ferryboat route miles attributable
16 to service provided to the city of Avalon, California, for
17 which the operator receives Federal assistance shall be in-
18 cluded in the calculation of “fixed guideway vehicle reve-
19 nue miles” and “fixed guideway route miles” attributable
20 to the Los Angeles urbanized area under sections 9(b)(2)
21 and 15 of such Act.

22 **SEC. 204. MASS TRANSIT ACCOUNT BLOCK GRANTS.**

23 Section 9B(a) of the Federal Transit Act (49 U.S.C.
24 App. 1607a–2(a)) is amended by striking “subsections (b)
25 and (c) of”.

1 **SEC. 205. GRANTS FOR RESEARCH AND TRAINING.**

2 (a) NATIONAL CENTER.—Section 11(b)(10)(A) of
3 the Federal Transit Act (49 U.S.C. 1607c(b)(10)(A)) is
4 amended by striking “technology” and inserting “Tech-
5 nology”.

6 (b) APPLICABILITY OF OBLIGATION CEILING TO
7 FUNDING FOR UNIVERSITY TRANSPORTATION CEN-
8 TERS.—Section 11(b)(12) of such Act is amended by
9 striking “102” and inserting “1002”.

10 (c) INTERNATIONAL INSTITUTE FOR SURFACE
11 TRANSPORTATION POLICY STUDIES.—Section 11(c) of
12 such Act is amended—

13 (1) in the heading to paragraph (1) by striking
14 “INSTITUTE FOR NATIONAL” and inserting “INTER-
15 NATIONAL INSTITUTE FOR”; and

16 (2) in paragraph (1) by striking “an institute
17 for national” and inserting “an international insti-
18 tute for”.

19 **SEC. 206. GENERAL PROVISIONS.**

20 (a) RAIL TRACKAGE RIGHTS AGREEMENTS.—Section
21 12(c)(1) of the Federal Transit Act (49 U.S.C. App.
22 1608(c)(1)) is amended by inserting “payments for the
23 capital portions of rail trackage rights agreements,” after
24 “rights-of-way,”.

25 (b) TURNKEY SYSTEM PROJECT.—Section 12(l) of
26 such Act is amended—

1 (1) in paragraph (1)(C) by striking “is” and in-
2 serting “may be”; and

3 (2) in paragraph (3) by striking “the date of
4 the enactment of this Act” and inserting “the date
5 of the enactment of the Intermodal Surface
6 Transportaton Efficiency Act of 1991”.

7 (c) SALE OF CAPITAL ASSETS.—Section 12 of such
8 Act is further amended by adding at the end the following
9 new subsection:

10 “(n) SALE OF CAPITAL ASSETS.—

11 “(1) IN GENERAL.—If a recipient of assistance
12 under this Act determines that facilities and equip-
13 ment and other assets (including land) acquired, in
14 whole or in part, with such assistance are no longer
15 needed for the purposes for which they were ac-
16 quired, the Secretary shall authorize the sale of the
17 assets with no further obligation to the Federal Gov-
18 ernment if the Secretary determines that—

19 “(A) there are no purposes eligible for as-
20 sistance under this Act for which the asset
21 should be used; and

22 “(B) the proceeds from the sale of the
23 asset will be used by the recipient to procure
24 items eligible for capital assistance under this
25 Act.

1 “(2) RELATIONSHIP TO OTHER LAWS.—The
2 provisions of this subsection shall be in addition to
3 and not in lieu of any other provision of law govern-
4 ing use and disposition of facilities and equipment
5 under an assistance agreement.”.

6 **SEC. 207. PERIOD OF AVAILABILITY AND REAPPORTION-**
7 **MENT OF SECTION 16 FUNDS.**

8 Section 16 of the Federal Transit Act (49 U.S.C.
9 App. 1612) is amended—

10 (1) in subsection (b) by inserting “and” after
11 the semicolon at the end of paragraph (1);

12 (2) in subsection (b) by striking “; and” at the
13 end of paragraph (2) and inserting a period;

14 (3) in subsection (b) by striking paragraph (3)
15 and inserting the following:

16 “Eligible capital expenses under this subsection may in-
17 clude, at the option of the recipient, the acquisition of
18 transportation services under a contract, lease, or other
19 arrangement.”;

20 (4) in subsection (c)(4) by striking “the enact-
21 ment of the Federal Transit Act” and inserting “the
22 date of the enactment of the Intermodal Surface
23 Transportation Efficiency Act of 1991”;

24 (5) by adding at the end of subsection (c) the
25 following new paragraph:

1 “(5) PERIOD OF AVAILABILITY.—Sums appor-
 2 tioned under this subsection shall be available for
 3 obligation by the State for a period of 3 years fol-
 4 lowing the close of the fiscal year for which the sums
 5 are apportioned and any amounts remaining unobli-
 6 gated at the end of such period shall be
 7 reapportioned among the States for the succeeding
 8 fiscal year.”;

9 (6) in subsection (e) by striking “handicapped
 10 and elderly individuals” and inserting “elderly per-
 11 sons and persons with disabilities”; and

12 (7) in subsection (e) by striking “such individ-
 13 uals” and inserting “such persons”.

14 **SEC. 208. RURAL TRANSIT PROGRAM.**

15 The second sentence of section 18(a) of the Federal
 16 Transit Act (49 U.S.C. App. 1614(a)) is amended by
 17 striking the final period.

18 **SEC. 209. AUTHORIZATIONS.**

19 (a) FORMULA GRANT PROGRAM FROM TRUST
 20 FUND.—Section 21(a)(1) of the Federal Transit Act (49
 21 U.S.C. App. 1617(a)(1)) is amended—

22 (1) by striking “8 9B,” and inserting “6, 8,
 23 9B, 10,”; and

24 (2) by inserting “20,” after “18,”.

1 (b) FORMULA GRANT PROGRAM FROM GENERAL
2 FUND.—Section 21(a)(2) of such Act is amended—

3 (1) by striking “8 9,” and inserting “6, 8, 9,
4 10,”; and

5 (2) by inserting “20,” after “18,”.

6 (c) SETASIDE FOR PLANNING, PROGRAMMING, AND
7 RESEARCH.—Section 21(c) of such Act is amended—

8 (1) by inserting “beginning after September 30,
9 1992,” after “each fiscal year”;

10 (2) by striking “or appropriated” each place it
11 appears;

12 (3) in paragraph (3) by striking “the State pro-
13 gram under”; and

14 (4) in paragraph (4) by striking “the national
15 program under”.

16 (d) OTHER SETASIDES.—Section 21(d) of such Act
17 is amended by striking “or appropriated” each place it ap-
18 pears.

19 (e) COMPLETION OF INTERSTATE TRANSFER TRAN-
20 SIT PROJECTS.—Section 21(e) of such Act is amended by
21 striking “\$160,000,000” and all that follows through the
22 period at the end and inserting “for fiscal years beginning
23 after September 30, 1991, not to exceed \$324,843,000.
24 Such sums shall remain available until expended.”.

1 **SEC. 210. PROJECT MANAGEMENT OVERSIGHT.**

2 Section 23(h) of the Federal Transit Act (49 U.S.C.
3 App. 1619(h)) is amended by striking “subsections (a)(1)
4 through (5)” and inserting “subsection (a)”.

5 **SEC. 211. PLANNING AND RESEARCH PROGRAM.**

6 (a) STATE PROGRAM.—Section 26(a) of the Federal
7 Transit Act (49 U.S.C. App. 1622(a)) is amended to read
8 as follows:

9 “(a) ALLOCATION OF PLANNING FUNDS.—

10 “(1) TRANSIT COOPERATIVE RESEARCH PRO-
11 GRAM.—Fifty percent of the funds made available
12 under sections 21(b)(3)(D) and 21(c)(3) shall be
13 available for the transit cooperative research pro-
14 gram to be administered as follows:

15 “(A) INDEPENDENT GOVERNING BOARD.—

16 The Secretary shall establish an independent
17 governing board for such program to rec-
18 ommend such transit research, development,
19 and technology transfer activities as the Sec-
20 retary deems appropriate. The members of the
21 board shall include, at a minimum, 1 represent-
22 ative from the national trade association rep-
23 resenting the taxicab-paratransit industry and 1
24 representative from the national association
25 that represents the intercity, regular route, pri-
26 vate, over-the-road bus service industry.

1 “(B) NATIONAL ACADEMY OF SCIENCES.—

2 The Secretary may make grants to, and enter
3 into cooperative agreements with, the National
4 Academy of Sciences to carry out such activities
5 as the Secretary determines are appropriate.

6 “(2) STATE PLANNING AND RESEARCH.—The
7 remaining 50 percent of funds made available under
8 sections 21(b)(3)(D) and 21(c)(3) shall be appor-
9 tioned to the States for grants and contracts consist-
10 ent with the purposes of sections 6, 8, 10, 11, and
11 20 of this Act in the ratio which the population in
12 urbanized areas in each State bears to the total pop-
13 ulation in urbanized areas in all the States, as
14 shown by the latest available decennial census, ex-
15 cept that no State shall receive less than $\frac{1}{2}$ of 1
16 percent of the amount apportioned under this sub-
17 section. In any case in which a statewide transit
18 agency is responsible under State law for the financ-
19 ing, construction, and operation, directly, by lease,
20 contract, or otherwise, of statewide public transpor-
21 tation services, such agency shall be the recipient for
22 receiving and dispensing funds under this para-
23 graph.

24 “(3) ALLOCATION WITHIN A STATE.—A State
25 may authorize a portion of its funds made available

1 under paragraph (2) to be used to supplement funds
2 available under paragraph (1), as the State deems
3 appropriate.”.

4 (b) NATIONAL PROGRAM.—Section 26(b) of such Act
5 is amended—

6 (1) in paragraph (1) by striking “section
7 21(c)(4)” and inserting “sections 21(b)(3)(E) and
8 21(c)(4)”; and

9 (2) in paragraph (2) by inserting “annually”
10 after “\$2,000,000”.

11 (c) PILOT PROJECT.—Section 26(c)(4) of such Act
12 is amended by striking “the date of the enactment of this
13 Act” each place it appears and inserting “the date of the
14 enactment of the Intermodal Surface Transportation Effi-
15 ciency Act of 1991”.

16 **SEC. 212. NEEDS SURVEY AND TRANSFERABILITY STUDY.**

17 Section 27(b) of the Federal Transit Act (49 U.S.C.
18 App. 1623(b)) is amended—

19 (1) in paragraph (1) by striking “(3)”; and

20 (2) in paragraph (2) by striking “such sec-
21 tions” and inserting “section 9(j) of this Act”.

22 **SEC. 213. STATE RESPONSIBILITY FOR RAIL FIXED GUIDE-**
23 **WAY SYSTEM.**

24 Section 28 of the Federal Transit Act (49 U.S.C.
25 App. 1624(b)) is amended—

- 1 (1) in the section heading by inserting “**RAIL**”
2 before “**FIXED GUIDEWAY**”; and
3 (2) in subsection (b)(1) by inserting “rail” be-
4 fore “fixed guideway”.

5 **SEC. 214. NATIONAL TRANSIT INSTITUTE.**

6 Section 29 of the Federal Transit Act (49 U.S.C.
7 App. 1625) is amended in the heading to subsection (b)
8 by striking “FUNDING” and inserting “TRAINING OF
9 STATE AND LOCAL GOVERNMENT TRANSPORTATION PER-
10 SONNEL”.

11 **SEC. 215. INCREASED FEDERAL SHARE.**

12 The Federal Transit Act (49 U.S.C. App. 1601–
13 1625) is amended by adding at the end the following new
14 section:

15 **“SEC. 30. INCREASED FEDERAL SHARE.**

16 “(a) STATES WITH LARGE AREAS OF INDIAN AND
17 CERTAIN PUBLIC DOMAIN LANDS.—In the case of any
18 State containing nontaxable Indian lands, individual and
19 tribal, and public domain lands (both reserved and unre-
20 served) exclusive of national forests and national parks
21 and monuments, exceeding 5 percent of the total area of
22 all lands in the State, the Federal share which, but for
23 this subsection, would be applicable for any construction
24 project under this Act shall be increased by a percentage

1 of the remaining cost equal to the percentage that the area
2 of all such lands in the State is of its total area.

3 “(b) STATES WITH LARGE AREAS OF INDIAN AND
4 PUBLIC DOMAIN LANDS AND NATIONAL FORESTS,
5 PARKS, AND MONUMENTS.—In the case of any State con-
6 taining nontaxable Indian lands, individual and tribal,
7 public domain lands (both reserved and unreserved), na-
8 tional forests, and national parks and monuments, the
9 Federal share which, but for this subsection, would be ap-
10 plicable for any construction project under this Act shall
11 be increased by a percentage of the remaining cost equal
12 to the percentage that the area of all such lands in such
13 State is of its total area.

14 “(c) MAXIMUM SHARE.—Notwithstanding sub-
15 sections (a) and (b) of this section, the Federal share for
16 any construction project under this Act shall not exceed
17 95 percent of the total cost of such project.

18 “(d) GRANT RECIPIENT AGREEMENT.—In any case
19 where a grant recipient elects to have the Federal share
20 provided in subsection (b) of this section, the grant recipi-
21 ent must enter into an agreement with the Secretary cov-
22 ering a period of not less than 1 year, requiring grant re-
23 cipient to use solely for purposes eligible for assistance
24 (other than operating assistance) under this Act (other
25 than paying its share of projects approved under this Act)

1 during the period covered by such agreement the dif-
 2 ference between the grant recipient's share as provided in
 3 subsection (b) and what its share would be if it elected
 4 to pay the share provided in subsection (a) for all projects
 5 subject to such agreement.”.

6 **SEC. 216. PERFORMANCE REPORTS ON MASS TRANSIT SYS-**
 7 **TEMS.**

8 Section 308(e)(1) of title 49, United States Code, is
 9 amended by striking “January of each even-numbered
 10 year” and inserting “January 1994, January 1995, and
 11 January of each odd-numbered year thereafter”.

12 **SEC. 217. MISCELLANEOUS MULTIYEAR CONTRACTS.**

13 (a) NEW JERSEY URBAN CORE PROJECT.—Section
 14 3031(d) of the Intermodal Surface Transportation Effi-
 15 ciency Act of 1991 (105 Stat. 2122–2123) is amended by
 16 inserting after “Hudson River Waterfront Transportation
 17 System” the following: “(including corridor connections to
 18 and within the city of Bayonne)”.

19 (b) ADDITIONAL TRACKAGE RIGHTS AND RIGHT-OF-
 20 WAY PURCHASE FOR GILROY SERVICE.—Section 3035(h)
 21 of such Act (105 Stat. 2130) is amended—

22 (1) by striking “July 1, 1994” and inserting
 23 “September 30, 1996”; and

24 (2) by striking “August 1, 1994,” and inserting
 25 “October 31, 1996,”.

1 (c) DALLAS LIGHT RAIL PROJECT.—

2 (1) MULTIYEAR GRANT AGREEMENT.—Section
3 3035(i) of such Act (105 Stat. 2130) is amended—

4 (A) by striking “6.4 miles” and inserting
5 “9.6 miles”;

6 (B) by striking “10 stations” and inserting
7 “not to exceed 14 stations”;

8 (C) by striking “such light rail line” and
9 inserting “the program of interrelated projects
10 identified in section 3(a)(8)(C)(vii) of the Fed-
11 eral Transit Act”; and

12 (D) by striking “of such elements” and in-
13 serting “element of such program of inter-
14 related projects”.

15 (2) PROGRAM OF INTERRELATED PROJECTS.—
16 Section 3(a)(8)(C)(vii) of the Federal Transit Act
17 (49 U.S.C. App. 1602(a)(8)(C)(vii)) is amended by
18 striking “Camp Wisdom” and inserting “Interstate
19 Route 20, L.B.J. Freeway”.

20 (d) SOUTH BOSTON.—Section 3035(j) of the Inter-
21 modal Surface Transportation Efficiency Act of 1991
22 (105 Stat. 2130–2131) is amended by inserting “the sec-
23 ond place it appears” after “striking ‘—’ ”.

24 (e) ORLANDO STREETCAR DOWNTOWN TROLLEY
25 PROJECT.—Section 3035(l) of such Act (105 Stat. 2131)

1 is amended by inserting after “engineering” the following:
2 “and the initiation of final design, construction, land and
3 equipment acquisition, and related activities”.

4 (f) SAN DIEGO MID COAST FIXED GUIDEWAY
5 PROJECT.—Section 3035(u) of such Act (105 Stat. 2132)
6 is amended—

7 (1) in the subsection heading by striking
8 “LIGHT RAIL” and inserting “FIXED GUIDEWAY”;
9 and

10 (2) by striking “Light Rail” and inserting
11 “Fixed Guideway”.

12 (g) EUREKA SPRINGS, ARKANSAS.—Section 3035(z)
13 of such Act (105 Stat. 2133) is amended by striking
14 “1992” each place it appears and inserting “1994” and
15 by striking “electrically powered bus” and inserting “al-
16 ternatively fueled vehicle”.

17 **SEC. 218. CROSS REFERENCE TO FEDERAL TRANSIT ACT.**

18 Section 176 of the Clean Air Act (42 U.S.C. 7506)
19 is amended in each of subsections (c)(2) and (d) by strik-
20 ing “Urban Mass Transportation” each place it appears
21 and inserting “Federal Transit”.

1 **TITLE III—MISCELLANEOUS**
2 **SURFACE TRANSPORTATION**
3 **PROGRAMS**

4 **SEC. 301. PARTICIPATION IN INTERNATIONAL REGISTRA-**
5 **TION PLAN AND INTERNATIONAL FUEL TAX**
6 **AGREEMENT.**

7 Section 4008(j) of the Intermodal Surface Transpor-
8 tation Efficiency Act of 1991 (105 Stat. 2155) is amend-
9 ed—

10 (1) in the second sentence by striking “102”
11 and inserting “1002”; and

12 (2) by striking the third sentence.

13 **SEC. 302. INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.**

14 Section 6058 of the Intermodal Surface Transpor-
15 tation Efficiency Act of 1991 (105 Stat. 2194–2195) is
16 amended—

17 (1) in the second sentence of subsection (d) by
18 striking “projects undertaken pursuant to subsection
19 (c) of this section” and inserting “activities under-
20 taken with funds made available under subsection
21 (b) and activities undertaken with funds subject to
22 subsection (c)”;

23 (2) in subsection (e) by striking “102” and in-
24 serting “1002”; and

1 (3) by adding at the end the following new sub-
 2 section:

3 “(f) NONAPPLICABILITY OF OTHER REQUIREMENTS
 4 OF LAW.—A person (including a public agency) that does
 5 not receive assistance under title 23, United States Code,
 6 the Federal Transit Act, or any provision of this Act
 7 (other than the Intelligent Vehicle-Highway Systems Act
 8 of 1991) shall not be subject to any Federal design stand-
 9 ard, law, or regulation applicable to persons receiving such
 10 assistance solely by reason of such person receiving assist-
 11 ance under this section.”.

12 **SEC. 303. TITLE 49, UNITED STATES CODE, AMENDMENTS.**

13 The analysis for chapter 1 of title 49, United States
 14 Code, is amended—

15 (1) by striking “Sec. 110. Saint Lawrence Sea-
 16 way Development Corporation.”; and

17 (2) by striking “Sec. 111.” and inserting
 18 “111.”.

19 **SEC. 304. SURFACE TRANSPORTATION ASSISTANCE ACT OF**
 20 **1982 AMENDMENTS.**

21 (a) MOTOR CARRIER SAFETY GRANT PROGRAM.—
 22 Section 402 of the Surface Transportation Assistance Act
 23 of 1982 (49 U.S.C. App. 2302) is amended—

24 (1) in subsection (b)(1)(N) by striking “give”
 25 and inserting “gives”; and

1 (2) in subsection (d) by striking “3” and insert-
 2 ing “5”.

3 (b) CARGO CARRYING UNIT LIMITATION.—Section
 4 411(j)(5)(D) of such Act (49 U.S.C. App. 2311(j)(5)(D))
 5 is amended by striking “prohibited under” and inserting
 6 “subject to”.

7 **SEC. 305. COMMERCIAL MOTOR VEHICLE SAFETY ACT OF**
 8 **1986 AMENDMENTS.**

9 (a) SECTION 12011.—Section 12011 of the Commer-
 10 cial Motor Vehicle Safety Act of 1986 (49 U.S.C. App.
 11 2710) is amended—

12 (1) in each of subsections (a) and (b) by strik-
 13 ing “104(b)(5), and 104(b)(6)” and inserting
 14 “104(b)(3), and 104(b)(5)”; and

15 (2) in subsection (c)(1)(A)(ii) by striking
 16 “104(b)(6)” and inserting “104(b)(3)”.

17 (b) SECTION NUMBER REDESIGNATION.—Such Act
 18 is further amended by redesignating the second section
 19 12020, relating to violation of out-of-service orders, as
 20 12021.

21 **SEC. 306. CLEVELAND HARBOR, OHIO.**

22 The description of a portion of Cleveland Harbor,
 23 Ohio, contained in section 1079(d) of the Intermodal Sur-
 24 face Transportation Efficiency Act of 1991 (105 Stat.
 25 2018–2019) is amended—

1 (1) by striking “279.31 feet” and inserting
2 “269.31 feet”;

3 (2) by striking “127.28 feet” and inserting
4 “137.28 feet”;

5 (3) by striking the comma following “Grid Sys-
6 tem”;

7 (4) by striking “33°–53′–08″ east” the first
8 place it appears and inserting “33°–53′–08″
9 west”;

10 (5) by striking “north-westerly” and inserting
11 “northwesterly”;

12 (6) by striking “174,764 square feet (4.012
13 acres)” and inserting “175,143 (4.020 acres)”; and

14 (7) by striking the semicolon at the end and in-
15 serting a period.

16 **SEC. 307. SURFACE TRANSPORTATION AND UNIFORM RE-**
17 **LOCATION ASSISTANCE ACT OF 1987 AMEND-**
18 **MENTS.**

19 Section 317(b) of the Surface Transportation and
20 Uniform Relocation Assistance Act of 1987 (49 U.S.C.
21 App. 1608 note; 101 Stat. 233) is amended—

22 (1) in paragraphs (2) and (3) by inserting “or
23 cooperative agreement” after “contract” each place
24 it appears; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(7) CONVERSION OF CONTRACTS.—The Sec-
4 retary may convert existing contracts entered into
5 under this subsection into cooperative agreements.”.

6 **SEC. 308. INTERMODAL SURFACE TRANSPORTATION EFFI-**
7 **CIENCY ACT TECHNICAL AMENDMENTS.**

8 (a) NATIONAL RECREATIONAL TRAILS.—Section
9 1302 of the Intermodal Surface Transportation Efficiency
10 Act of 1991 (16 U.S.C. 1261; 105 Stat. 2064–2068) is
11 amended—

12 (1) in subsection (c) by striking “Act” each
13 place it appears and inserting “part”;

14 (2) in subsection (c)(2)(B) by inserting after
15 “reserves” the following: “an amount equivalent to”;

16 (3) in subsection (d)(1) by striking “national
17 surveys” and inserting “a 1-time national survey”;

18 (4) by adding at the end of subsection (d)(1)
19 the following:

20 “The 3 percent limitation in the preceding sentence
21 shall not apply to expenditures to pay the cost of
22 conducting the 1-time national survey described in
23 subparagraph (C).”;

24 (5) in subsection (e)(8)(B) by inserting “the
25 State” before “may be exempted”; and

1 (6) in subsection (e)(8)(B) by inserting “funds
2 may be” before “expended or committed”.

3 (b) SOUTHERN FLORIDA COMMUTER RAIL.—Section
4 3014 of such Act (105 Stat. 2108) is amended by striking
5 “(49 U.S.C. 1607a)”.

6 (c) SECTION 6017.—Section 6017 of such Act (105
7 Stat. 2183) is amended by striking “502(a)” and inserting
8 “5002(a)”.

9 **SEC. 309. IMPROVED BUS SAFETY.**

10 (a) APPLICABILITY OF FEDERAL MOTOR CARRIER
11 SAFETY REGULATIONS TO BUS OPERATIONS OF PRIVATE
12 MOTOR CARRIERS OF PASSENGERS.—Section 206 of the
13 Motor Carrier Safety Act of 1984 (49 U.S.C. App. 2505)
14 is amended by striking subsection (h) and inserting the
15 following new subsection:

16 “(h) APPLICABILITY TO BUS OPERATIONS OF PRI-
17 VATE MOTOR CARRIER OF PASSENGERS.—Not later than
18 6 months after the date of the enactment of this sub-
19 section, the Secretary shall issue regulations making the
20 relevant commercial motor carrier safety regulations is-
21 sued under subsection (a) applicable to all operations by
22 private motor carriers of commercial motor vehicles pro-
23 viding transportation of passengers in interstate com-
24 merce.”.

1 (b) EDUCATION PROGRAM.—Not later than 6 months
2 after the date of the enactment of this Act, the Secretary
3 of Transportation shall develop and implement an edu-
4 cation program to inform all private motor carriers of pas-
5 sengers that they must comply with the Federal commer-
6 cial motor vehicle safety regulations issued under section
7 206 of the Motor Carrier Safety Act of 1984 when provid-
8 ing commercial motor vehicle transportation of passengers
9 in interstate commerce.

10 (c) REPORTS.—

11 (1) INITIAL REPORT.—Not later than 12
12 months after the date of the enactment of this Act,
13 the Secretary of Transportation shall submit to Con-
14 gress a report describing in detail the regulations
15 that have been issued pursuant to subsection (a) and
16 the status of the education program being developed
17 and implemented under subsection (b).

18 (2) SUBSEQUENT REPORTS.—Each year for a
19 period of 4 years on the annual anniversary date of
20 the report submitted to Congress under paragraph
21 (1), the Secretary of Transportation shall submit to
22 Congress a report describing in detail the status of
23 enforcement of the Federal commercial motor vehicle
24 safety regulations issued under section 206 of the
25 Motor Carrier Safety Act of 1984 to operations by

- 1 private motor carriers of commercial motor vehicles
- 2 providing transportation of passengers in interstate
- 3 commerce.

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